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**FACSIMILE TRANSMISSION COVER SHEET**

TO: **Gloria Trammel**

COMPANY: **USPTO**

COUNTRY: **USA**

FACSIMILE NUMBER: **571-272-1000 or 866-217-9197 or 571-273-8300**

FROM: **William E. McGowan, Senior Patent Counsel**

TELEPHONE NO.: **(732) 524-2197**

ROOM NO.: **WH3235**

DATE: **August 31, 2006**

FACSIMILE NUMBER: **(732) 524-5889**

NUMBER OF PAGES INCLUDING THIS COVER SHEET: **8**

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CALL

COMMENTS: **Re: Application No. 09/939454**

In reply to the Notice of Non-Compliant Amendment (37 CFR 1.121), attached please find the Executed Amendment previously filed on 8/3/2006.

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE SOLELY TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATIN IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

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NO. 0108 P. 2

AUG 31 2006

DOCKET NO. NEU-40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Carol J. Collins, et al.

Serial No.: 09/938,454

Art Unit: 1615

Filed : August 24, 2001

Examiner: H. N. Sheikh

For : REDUCED WAX MASCARA COMPOSITIONS

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to Patent and Trademark office. Fax No. (871) 272-1000

August 31, 2006

(Date of Deposit)

William E. McGowan

(Name of applicant, assignee, or Registered Representative)

/William E. McGowan/

(Signature)

August 31, 2006

(Date of Signature)

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Response to Notice of Non-Compliant Amendment (37 CFR 1.121)

Dear Sir:

In response to the Notice of Non-compliance sent August 14, 2006, attached please find enclosed a properly signed copy of the previously submitted response for the above referenced patent application. A copy of the Notice of Non-Compliant Amendment is also attached.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/NEU0040/WEM. This sheet is submitted in triplicate.

Respectfully submitted,

/William E. McGowan/

William E. McGowan  
Reg. No. 39,301  
Attorney for Applicant(s)

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-2197

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NO. 0108 P. 3

DOCKET NO. NEU-40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Carol J. Collins, et al.

Serial No.: 09/938,454

Art Unit: 1615

Filed : August 24, 2001

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August 31, 2006

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(Name of applicant, assignee, or Registered Representative)

/William E. McGowan/

(Signature)

August 31, 2006

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Respectfully submitted,

/William E. McGowan/

William E. McGowan  
Reg. No. 39,301  
Attorney for Applicant(s)

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-2197

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NO. 0108 P. 4

DOCKET NO. NEU-40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Carol J. Collins, et al.

Serial No.: 09/938,454

Art Unit: 1615

Filed : August 24, 2001

Examiner: H. N. Sheikh

For : REDUCED WAX MASCARA COMPOSITIONS

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August 31, 2006

(Date of Deposit)

William E. McGowan

(Name of applicant, assignee, or registered Representative)

/William E. McGowan/

(Signature)

August 31, 2006

(Date of Signature)

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Respectfully submitted,

/William E. McGowan/

William E. McGowan  
Reg. No. 39,301  
Attorney for Applicant(s)

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-2197

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**AUG 31 2006**

Docket No. NEU0040USNP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Carol J. Collins, Frederick Woodin, Minerva Villamor  
Serial No. : 09/938,454  
Filed : August 24, 2001  
Title : REDUCED WAX MASCARA COMPOSITIONS

Art Unit : 1615  
Examiner : Humera N. Sheikh

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703-272-1000

August 1, 2006  
(Date of Deposit)

William E. McGowan  
(Name of applicant, assignee, or Registered Representative)

/William E. McGowan/  
(Signature)

August 1, 2006  
(Date of Signature)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Dear Sir:

The following is in response to the Office Action of March 1, 2006. A petition for extension of time for response to the Office Action for two (2) months is attached hereto.

**REMARKS/ARGUMENTS**